

**AN ORDINANCE 2006-03-09-0333**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 71.39 acres out of NCB 34400 from "R-6" Residential Single-Family District to "C-3" General Commercial on 12.171 acres, "C-2" Commercial District on 37.849 acres, and "C-2" (CD-Home Improvement Center) Commercial District with a Conditional Use for a Home Improvement Center on 21.370 acres.

**SECTION 2.** A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

**SECTION 3.** The City Council finds as follows:

- A.** The conditional use will not be contrary to the public interest.
- B.** The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E.** The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 4.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 5.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for

inspection.

**SECTION 6.** This ordinance shall become effective on March 19, 2006.


**PASSED AND APPROVED** this 9<sup>th</sup> day of March, 2006.



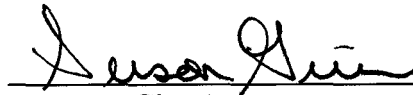
M A Y O R

PHIL HARDBERGER

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney  
for

# Agenda Voting Results

**Name:** Z-10.

**Date:** 03/09/06

**Time:** 03:36:06 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2006012 CD (District 6): An Ordinance amending the zoning district boundary from "R-6" Residential Single-Family District to "C-3" General Commercial on 12.171 acres, "C-2" Commercial District on 37.849 acres, and "C-2" (CD-Home Improvement Center) Commercial District with a Conditional Use for a Home Improvement Center on 21.370 acres, all out of NCB 34400, located at the Northwest corner of West Loop 1604 and West Military Drive as requested by Kaufman and Associates, Inc., Applicant, for McCombs Family Partners, Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present	x		
SHEILA D. MCNEIL	DISTRICT 2				
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

**FIELD NOTE DESCRIPTION**  
**12.171 ACRE TRACT - ZONING C-3**  
**West Loop 1604**  
**San Antonio, Bexar County, Texas**

A 12.171 acre tract of land located in the State of Texas, County of Bexar, City of San Antonio and being out of the 135.127 acre VWC, Ltd. tract of land out of the H. MEURER SURVEY No. 359, ABSTRACT No. 520, THOMAS YORK SURVEY No. 201-1/2, ABSTRACT No. 825, County Block 4400, N.C.B. 34400, San Antonio, Bexar County, Texas; said 135.127 acre tract being as described in a Special Warranty Deed from VWC, Ltd. to McCombs Family Partners, Ltd., as recorded in Volume 11255, Page 2126 of the Official Public Records of Bexar County, Texas and said 12.171 acre tract being further described by metes and bounds as follows;

COMMENCING, at a chiseled "x" in concrete located on the northerly right-of-way line of Military Drive West (a variable width right-of-way public street, minimum 86 feet), said point being the most southwesterly corner of Lot 1, Block 1, NCB 17834, of the Westcreek/Peptoe Subdivision, as defined by the subdivision plat recorded in Volume 9564, Page 83 of the Records of Plats and Deeds for Bexar County, Texas.

THENCE; N 00°08'25" W for a distance 327.26 feet to the POINT OF BEGINNING of the hereinafter described 12.171 acre tract of land;

THENCE; N 00°08'25" W for a distance 1,411.70 feet to a point for corner;

THENCE; S 89°59'18" E for a distance of 468.28 feet to a point for corner, said corner being located on the westerly right-of-way line of Loop 1604 West (a variable width freeway, minimum width of 300 feet);

THENCE; along and with the westerly right-of-way line of Loop 1604 West for the following courses and distances;

S 00°08'25" E for a distance of 217.85 feet to a found TxDOT monument for an angle point;

S 05°29'04" W for a distance of 663.20 feet to a found TxDOT monument for an angle point;

S 00°08'26" E for a distance of 160.00 feet to a found iron rod for corner, said corner being the most northeasterly corner of a 0.804 acre tract conveyed to Dynamic Landhold, L.P. by Warranty Deed recorded in Volume 10957, Page 1840, Official Public Records, Bexar County, Texas;

THENCE; leaving the TxDOT right-of-way of Loop 1604 West for the following courses and distances:


S 89°46'42" W for a distance of 200.00 feet to a found iron rod for corner;

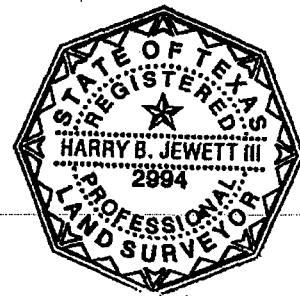
S 00°08'25" E for a distance 372.03 feet to a found iron rod for corner;

S 89°46'42" W for a distance of 203.27 feet to a chiseled "x" for corner; said corner being located on the northerly right-of-way line of Military Drive West, said corner being the most northwesterly corner of Lot 1, Block 1, NCB 17834 and said corner being the POINT OF BEGINNING of the heretofore described 12.171 acre parcel of land.

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Job No. 05108  
December 13, 2005  
fn/mkw/hbj

  
Harry B. Jewett III  
Registered Professional Land Surveyor  
Registration No. 2994



72006012

**FIELD NOTE DESCRIPTION**  
**21.370 ACRE TRACT - ZONING C-25C**  
West Loop 1604  
San Antonio, Bexar County, Texas

A 21.370 acre tract of land located in the State of Texas, County of Bexar, City of San Antonio and being out of the 135.127 acre VWC, Ltd. tract of land out of the H. MEURER SURVEY No. 359, ABSTRACT No. 520, THOMAS YORK SURVEY No. 201-1/2, ABSTRACT No. 825, County Block 4400, N.C.B. 34400, San Antonio, Bexar County, Texas; said 135.127 acre tract being as described in a Special Warranty Deed from VWC, Ltd. to McCombs Family Partners, Ltd., as recorded in Volume 11255, Page 2126 of the Official Public Records of Bexar County, Texas and said 21.370 acre tract being further described by metes and bounds as follows;

BEGINNING, at a chiseled "x" in concrete located on the northerly right-of-way line of Military Drive West (a variable width right-of-way public street, minimum 86 feet), said point being the most southwesterly corner of Lot 1, Block 1, NCB 17834, of the Westcreek/Pepto Subdivision, as defined by the subdivision plat recorded in Volume 9564, Page 83 of the Records of Plats and Deeds for Bexar County, Texas, said point also being at the most southeasterly point and the POINT OF BEGINNING of the hereinafter described 21.370 acre tract of land;

THENCE; along and with the northerly right-of-way line of Military Drive West for the following courses and distances:

following a curve to the left, said curve having a radius of 1,279.86 feet, a chord length of 81.52 feet, a chord bearing of S 85°38'48" W, a central angle of 03°39'01", and an arc length of 81.54 feet to an iron rod found for a point of reverse curvature;

following a curve to the right, said curve having a radius of 1,193.86 feet, a chord length of 120.81 feet, a chord bearing of S 86°43'18" W, a central angle of 05°48'02", and an arc length of 120.86 feet to an iron rod found for a point of tangency;

S 89°37'19" W for a distance of 288.24 feet to an iron rod found for a point of curvature;

following a curve to the left, said curve having a radius of 1,243.00 feet, a chord length of 41.56 feet, a chord bearing of S 88°39'50" W, a central angle of 01°54'57", and an arc length of 41.56 feet to an iron rod found for corner;

THENCE; departing the northerly right-of-way line of Military Drive West along the following courses and distances;


N 00°08'25" W for a distance 1,755.03 feet to an iron rod set for corner;

S 89°59'18" E for a distance of 531.73 feet to a point for corner;

S 00°08'25" E for a distance of 1,738.95 feet to a chiseled "x" for corner; said corner being located on the northerly right-of-way line of Military Drive West, said corner being the most southwesterly corner of Lot 1, Block 1, NCB 17834 and said corner being the POINT OF BEGINNING of the heretofore described 21.370 acre parcel of land.

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Job No. 05108  
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**FIELD NOTE DESCRIPTION**  
**37.849 ACRE TRACT - ZONING C-2**  
**West Loop 1604**  
**San Antonio, Bexar County, Texas**

A 37.849 acre tract of land located in the State of Texas, County of Bexar, City of San Antonio and being out of the 135.127 acre VWC, Ltd. tract of land out of the H. MEURER SURVEY No. 359, ABSTRACT No. 520, THOMAS YORK SURVEY No. 201-1/2, ABSTRACT No. 825, County Block 4400, N.C.B. 34400, San Antonio, Bexar County, Texas; said 135.127 acre tract being as described in a Special Warranty Deed from VWC., Ltd. to McCombs Family Partners, Ltd., as recorded in Volume 11255, Page 2126 of the Official Public Records of Bexar County, Texas and said 37.849 acre tract being further described by metes and bounds as follows;

COMMENCING, at a chiseled "x" in concrete located on the northerly right-of-way line of Military Drive West (a variable width right-of-way public street, minimum 86 feet), said point being the most southwesterly corner of Lot 1, Block 1, NCB 17834, of the Westcreek/Pepto Subdivision, as defined by the subdivision plat recorded in Volume 9564, Page 83 of the Records of Plats and Deeds for Bexar County, Texas.

THENCE; N 00°08'25" W for a distance 1,738.95 feet to the POINT OF BEGINNING of the hereinafter described 37.849 acre tract of land;

THENCE; N 89°59'18" W for a distance of 531.73 feet to a iron rod set for corner;

THENCE; N 00°08'25" W for a distance 1,169.27 feet to an iron rod set for corner;

THENCE; N 44°03'46" E for a distance 1,434.32 feet to a found iron rod for corner, said point being located on the westerly right-of-way line of Loop 1604 West (a variable width public freeway);

THENCE; along and with the TxDOT right-of-way of Loop 1604 West for the following courses and distances:

S 00°08'06" E for a distance of 167.99 feet to a found TxDOT monument for an angle point;

S 16°33'32" W for a distance of 208.81 feet to a found TxDOT monument for an angle point;

S 00°08'25" E for a distance of 400.00 feet to a found TxDOT monument for an angle point;

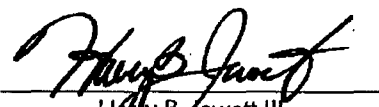
S 16°50'25" E for a distance of 208.80 feet to a found TxDOT monument for an angle point;

S 00°08'25" E for a distance of 1,232.16 feet to an iron rod set for corner;

N 89°59'18" W for a distance of 468.26 feet to a point for corner; said corner being the POINT OF BEGINNING of the heretofore described 37.849 acre parcel of land.

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